

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**WASHINGTON COUNTY, OHIO, BY
THE WASHINGTON COUNTY
COMMISSIONERS, et al.,**

Plaintiffs,

Case No. 2:18-cv-1706

CHIEF JUDGE EDMUND A. SARGUS, JR.

Magistrate Judge Elizabeth Preston Deavers

v.

CARDINAL HEALTH, et al.,

Defendants.

OPINION AND ORDER

This matter is before the Court on (1) Defendant Walgreen's Motion to Stay Pending Likely Transfer to Multidistrict Litigation (ECF No. 21); (2) Defendant Mylan Bertek Pharmaceuticals, Inc.'s Motion to Remand (ECF No. 24), and Plaintiffs' Motion to Remand (ECF No. 25). For the reasons that follow, the Court **GRANTS** the Motion to Stay (ECF No. 21) and **DENIES** the Motions to Remand (ECF Nos. 24, 25).

This action is one of numerous opioid lawsuits filed by government entities against various defendants including manufacturers, distributors, and retailers of prescription opioid medications. On December 5, 2017, the Judicial Panel on Multidistrict Litigation ("JPML") created an Opiate MDL for cases similar to this one: *In re Nat'l Prescription Opiate Litig.*, 290 F. Supp. 3d 1375 (J.P.M.L. 2017). Specifically, the JPML centralized cases in which "cities, counties and states . . . allege that: (1) manufacturers of prescription opioid medications overstated the benefits and downplayed the risks of the use of their opioids and aggressively marketed . . . these drugs to physicians, and/or (2) distributors failed to monitor and report

suspicious orders of prescription opiates.” *Id.* at 1378–79. The JPML sent these case to the Honorable Dan Aaron Polster of the United States District Court for the Northern District of Ohio. *See In re Nat’l Prescription Opiate Litig.*, 1:17-MD-2804.

Currently, more than 1,500 actions have been transferred to the Opiate MDL. As new cases are filed across the country each week, the JPML continues to transfer actions similar to the instant one to the Opiate MDL, including cases which originated in the United States District Court for the Southern District of Ohio. *See e.g., Clermont Cty. Bd. Of Cty. Commr’s v. AmerisourceBergen Drug Corporation, et al.*, No. 2:17-cv-00662 (S.D. Ohio, July 28, 2017).

Other Plaintiffs that have filed opiod cases in this Court have moved for remand and the same Defendants have opposed the motions and asked for a stay pending JPML action. For the same reasons, the Court denied Plaintiff’s Motion to Remand and granted Defendants’ Motion to Stay in *Noble County, Ohio, by the Noble County Commissioners v. Cardinal Health, et al.*, 2:18-cv-1379 (ECF Nos. 38, 43 in *Noble County* case), it **GRANTS** the Motion to Stay (ECF No. 21) and **DENIES** the Motions to Remand (ECF Nos. 24, 25).

IT IS SO ORDERED.

1-25-2019
DATE



EDMUND A. SARGUS, JR.
CHIEF UNITED STATES DISTRICT JUDGE